

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

JOSE LUIS HERNANDEZ,

Movant,

v.

UNITED STATES OF AMERICA,

Respondent.

CRIMINAL CASE NO.

1:11-cr-51-JEC-GGB

CIVIL ACTION FILE NO.

1:12-cv-235-JEC

ORDER

This case is before the Court on the Magistrate Judge's Final Report and Recommendation [50] recommending denying movant's Motion to Vacate Sentence [24] and denying as moot movant's Motion for Summary Judgment [35]. No objections to the Report and Recommendation [50] have been filed. The Court has reviewed the Final Report and Recommendation [50] on the merits and finds the magistrate judge's conclusions to be well-founded.

IT IS HEREBY ORDERED that the Court **ADOPTS** the Magistrate Judge's Final Report and Recommendation [50] **DENYING** movant's Motion to Vacate Sentence [24] and **DENYING as moot** movant's Motion for Summary Judgment [35]. It is further Ordered that a certificate of appealability is **DENIED**.

SO ORDERED, this 9th day of JANUARY, 2013.

/s/ Julie E. Carnes
JULIE E. CARNES
CHIEF U.S. DISTRICT JUDGE